

REMARKS

The Amendment, filed in response to the Office Action mailed July 23, 2009, is believed to be fully responsive to all and every issue raised in the Office Action. Favorable reconsideration on the merits and allowance of the application are respectfully requested.

Claims Disposition and Summary of Amendments

Claims 1-19 are currently pending in the application. Claims 20-43 were previously canceled.

In the current Amendment, claims 1, 6, 10, 13, and 14 are amended. Claims 1, 6, 10, and 14 are amended in order to more clearly set forth the claimed subject matter and correct typographical errors. Claim 13 is amended to correct a typographical error. Support for amended claims 1 and 10 are found, for example, by the disclosure of the specification, on page 12, lines 13-16. No new matter is introduced and entry and consideration of the amendment are respectfully requested.

Response to Claim Objection

In the Office Action, claims 6 and 14 are objected to because the recitation "anti-tumor necrosis factor alpha" is indefinite and the Office suggests to amend it to read "anti-tumor necrosis factor alpha antibody."

In response, solely in order to advance the prosecution, claims 6 and 14 are amended as suggested by the Office, rendering the objection moot. Withdrawal of the objection is respectfully requested.

Response to Claim Rejection – Statement of Availability of Biological Material is being submitted

In the Office Action, claims 1-19 are rejected under 35 U.S.C. 112, first paragraph, as assertedly they contain subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. In particular, the Office notes that the application contains a microorganism deposit under Budapest Treaty and requires Applicant to submit an affidavit or declaration, stating that the cell line will be irrevocably and without restriction or condition released to the public upon the issuance of the patent.

In response, in order to comply with the requirement, Applicants submit a Statement of Availability of the biological materials which were deposited under Budapest Treaty, signed by Applicants' counsel of record, as a separate letter. Therefore, withdrawal of the rejection is respectfully requested.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number **202-775-7588**.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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CUSTOMER NUMBER

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